

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 1757 - HB 2099**

March 20, 2009

**SUMMARY OF BILL:** Makes it a misdemeanor offense for a person to wear pants below the waistline in a public place. Sets forth punishment guidelines for multiple offenses. Establishes the Extracurricular Activities Enhancement Fund and requires that all revenue from collected fines be placed into the dedicated fund to be distributed to local education agencies (LEAs) in proportion to their average daily membership. Requires LEAs to use any distributed funds to pay for musical instruments, books, and athletic equipment.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenue - Exceeds \$100,000/Extracurricular  
Activities Enhancement Fund**

**Increase State Expenditures - \$483,400**

**Increase Local Revenue – Not Significant**

**Increase Local Expenditures – Not Significant**

**Increase Federal Expenditures - \$369,500**

**Assumptions:**

- Currently, there are approximately 2,512 juveniles on probation with the Department of Children's Services. It is estimated that one and one-half percent, or 38, of these cases will be impacted by the provisions of the bill.
- On average, the delay in permanency will require an additional 180 days of state custody. For each additional day there will be an approximate increase of \$108 in expenditures per child. This will increase expenditures by \$738,720 (38 cases x 180 days x \$108 per day).
- Due to the *Brian A. Consent Degree*, DCS case managers have a manager to case ratio of approximately 15 to 1. Due to the increase of 38 children, two additional case managers will be hired, resulting in an increase in expenditures of \$114,192 which includes salaries (\$68,800),


**SB 1757 - HB 2099**

benefits (\$23,392), and communications, networking, travel and supplies (\$22,000).

- Of the total increase of \$852,912 (\$738,720 + \$114,192), seven percent (\$59,704) will be Title IV-E Federal funds; 49 percent (\$417,927) will be through TennCare; and \$375,281 in state funds.
- Of the TennCare funds, \$108,084 is state funds at a 25.862 percent match rate and \$309,843 is federal funds at a 74.138 percent match rate.
- The total increase in expenditures for additional days of children in custody is estimated at \$483,365 (\$375,281 + \$108,084) in state funds and \$369,547 (\$59,704 + \$309,843) in federal funds.
- All offenses are classified as misdemeanors and will be adjudicated in the local court system. An increase in cases in the local court system, which will result in additional local government expenditures for processing the cases and local government revenue from fees, taxes and costs collected. These expenditures and revenues are estimated to be not significant.
- All fines collected from defendants will be deposited into a special account in the state treasury. While the exact cost of collected fines is unknown, it is estimated that there will be an increase in state revenue exceeding \$100,000.
- The number of new court cases and defendants, hours of community service that will be performed, and total fines collected is unknown.

## **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible.

James W. White, Executive Director

/msg